

REMARKS

The Office Action mailed August 11, 2006 has been received and reviewed. Claims 7 and 12-20 are pending. Claims 7, 19, and 20 are allowed. Claims 12-16 are rejected. Claims 17 and 18 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and all intervening claims. Applicant thanks the Examiner for his indication of allowable subject matter. Applicant will address the remaining concerns below.

Claims 12-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Rubel (U.S. Patent No. 5,980,001). Applicant respectfully asserts that anticipation has not been established with respect to claim 12 as currently amended. Claim 12 recites traction lugs “extending outward from the outer side of the base, each of said lugs having a width extending across a substantial portion of a width of the base, the lugs comprising a lower portion having a first angle of inclination relative to normal to the base and an upper portion having a second angle of inclination relative to normal to the base, the second angle being greater than the first angle.”

Rubel discloses only a small metal post or stud having an angled face. The stud of Rubel does not extend across a substantial portion of the width of a base. Furthermore, Rubel does not render the claimed invention obvious. As noted in the specification the novel traction lug claimed is designed to pack the snow to prevent shearing of the snow by the track, thereby increasing traction. The stud of Rubel does not relate to the problem of shearing of snow. Studs are used primarily to provide traction on icy surfaces where shearing is not likely. Accordingly, Rubel does not teach or suggest modification to achieve Applicant’s invention. Furthermore, it would vitiate the purpose of the stud of Rubel to modify the stud to extend across a substantial width of a base, such as a track. The stud would no longer provide the same gripping functionality on icy surfaces.

Claims 13-16 are dependent on allowable claim 12 and are therefore allowable for at least


25315

CUSTOMER NUMBER

- 5 -

ACAS-1-10372ROA

BLACK LOWE & GRAHAM^{PLLC}


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

the reasons discussed hereinabove.

Claims 17 and 18 have been rewritten in independent form, including all of the limitations of claim 12, and are therefore allowable.

CONCLUSION

In view of the foregoing, Applicants believe the claims to be in condition for immediate allowance. The Examiner is invited to call the undersigned to resolve any questions or concerns that may be resolved by a telephone conference.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



Darren J. Jones
Registration No. 36,175
Direct Dial: 206.957.2490

4 Oct '06
DATED


25315

CUSTOMER NUMBER

- 6 -

ACAS-1-10372ROA

BLACK LOWE & GRAHAM^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301